S.B.Cr.Misc. Bail App. No. 5549/2007
(Prem Singh Vs. State of Rajasthan)

Date of order : 19/11/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. Gajendra Singh Rathore for the petitioner.

Mr. Ashok Upadhyay Public Prosecutor.

Mr. M.C.Bishnoi for the complainant.

Heard learned counsel for the petitioner and the Public Prosecutor for the State as also the counsel appearing for the complainant. Perused the order impugned and police investigation diary.

The allegation against the present petitioner is that he repeatedly fired country made pistol aiming towards the first informant Narpat Singh, however, Narpat Singh has not suffered any injury by firearm. It is contended by counsel for the petitioner that had the firearm is aimed and repeatedly fired, it would have caused some injuries or mark of pistol shot, whereas neither any injury caused nor any mark of gunshot.

Looking to the facts and circumstances of the case and having considered the oral arguments advanced by both the parties, without commenting on the merit of the case, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Prem Singh S/o Shri Swai Singh, be released on bail in FIR No. 123/2007 P.S. Anadara, provided he executes a personal bond for a sum of Rs. 20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP